From:        Andrew Bayly
To:          Microsoft ATR
Date:        11/21/01 9:39pm
Subject:     Competitive Suggestion

Dear Sir/Madam,

I write concerning the Microsoft settlement.

First, I should state that I am not a U.S. citizen. This may determine whether or not you may consider my thoughts.

I am Australian. I began my university studies in computer science in 1979, and have since gained an MBA with a focus in strategy implementation. For many years I have used software from many manufacturers. I have a preference for the Macintosh platform, and have therefore experienced many of the problems that have led to the hearings concerning Microsoft's conduct.

I believe that there is a simple settlement available in the Microsoft case that could be a generic solution applicable to all software developers.

Simply, all file formats should be public property. All software should be obliged to save and open defined file formats, that could be updated by an industry committee (preferably made up of users, not manufacturers) every two years or so.

This would eliminate the ability of a dominant market player to extend dominance from one market or product to another.

In the case of Microsoft, all of its file types (doc, xls, ppt, and particularly its internet protocols) would become public property. Alternatively, Microsoft would be required to abandon its own formats and embrace publicly-owned and administered formats. This represents a simple extension of the "rtf" notion that is already embraced by the industry, and particularly, by its users.

There are many simple analogies for this notion. Here is one: We would not tolerate a road system that could only be driven on one brand of tires. If a dominant road-layer (manufacturer) defined the type of tires that could operate on its roads, excluded other manufacturers from the ability to create tires that could work on its roads, and manufactured its own, it would be guilty of anti-competitive behaviour of the highest order.

If file-types were publicly owned (just as road surfaces are universally understood), then all software developers would be on a level playing field. Not incidentally, Microsoft could continue to thrive with a

massive market share if it continued to innovate better than its competitors.

I have posted this suggestion on computer-related bulletin boards and received warm feedback, and confirmation that this represents a realistic solution, from many technical minds, many of whom are U.S. citizens.

If this solution were to be pursued, then Microsoft would not need to be split up, which would be a sad end for an extremely successful innovator.

I thank you for your consideration.

Yours faithfully,
Andrew Bayly.